

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of)	
)	
Technology Transitions Policy Task Force)	GN Docket No. 13-5
Seeks Comment on Potential Trials)	
)	

**COMMENTS OF MEMBERS OF THE RURAL BROADBAND POLICY GROUP:
ACCESS HUMBOLDT, APPALSHOP, CALIFORNIA CENTER FOR RURAL
POLICY, CENTER FOR MEDIA JUSTICE, CENTER FOR RURAL
STRATEGIES, CENTRAL APPALACHIA REGIONAL NETWORK, GREATER
CALDWELL COUNTY HISPANIC CHAMBER OF COMMERCE, INSTITUTE
FOR LOCAL SELF RELIANCE, AND VIRGINIA RURAL HEALTH
ASSOCIATION.**

Edyael Casaperalta
Programs & Research Assoc.
Center for Rural Strategies
46 East Main Street
Whitesburg, KY
(956) 457-6126

July 8, 2013

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**COMMENTS OF MEMBERS OF THE RURAL BROADBAND POLICY GROUP
CONCERNING POTENTIAL TECHNOLOGY TRANSITION TRIALS
PROPOSED BY THE TECHNOLOGY TRANSITIONS POLICY TASK FORCE**

To: The Federal Communications Commission

Members of the Rural Broadband Policy Group (RBPG) submit these comments respectfully encouraging the Federal Communications Commission’s Technology Transitions Policy Task Force (Task Force) to postpone the proposed technology transition trials until 100% Universal Service access is achieved in every new technology under consideration. The current deployment of Fiber, Wireless, and Internet Protocol technologies is inadequate to ensure the public safety of our nation, protect rural, low-income, and Tribal consumers, and guarantee access to affordable and reliable basic voice and emergency services. RBPG strongly believes any proposed trial that seeks to replace basic telephone service, which is often the only form of communication many remote communities have, reverses our national commitment to Universal Service and can leave rural people vulnerable and disconnected from our nation’s economy, society, and democracy.

Respectfully submitted,

/s/ Edyael Casaperalta

Edyael Casaperalta
Programs & Research Assoc.
Center for Rural Strategies
46 East Main Street
Whitesburg, KY
(956) 457-6126

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I. INTRODUCTION

As communications tools evolve, the need to communicate remains. Rural, low-income, and Native communities constitute the majority of those left unserved today. According to the Federal Communications Commission 8th Broadband Progress Report released last August, fixed broadband networks do not reach 19 million Americans. Of those unserved by fixed broadband networks, 14.5 million live in rural and nearly a third in Tribal lands.¹ These statistics highlight a persistent digital divide that keeps rural communities from opportunities in education, health care, economic development, and civic participation. Even basic telephone service is not ubiquitous in our country. Over 31 percent of Americans in Tribal lands do not have basic phone service,² and across the states, almost 10.6 million people depend on the Lifeline program to be able to afford a basic telephone line.³ Unavailability of service and high prices are two of the top barriers that rural communities face to access basic telephone, wireless, broadband services.

As the Technology Transitions Policy Task Force (Task Force) considers technology transition trials and regulations that will determine how Americans communicate using fiber, wireless, and Internet Protocol technologies, the Rural Broadband Policy Group respectfully presents the following comments discussing what is at stake for rural, low-income, and Native communities, and encourage the Task Force to postpone trials until every new technology under consideration has demonstrated 100% Universal Service access.

II. POSTPONE TRIALS UNTIL EVERY NEW TECHNOLOGY DEMONSTRATES RELIABLE 100% UNIVERSAL SERVICE ACCESS.

Rural people need communication tools to call a doctor, apply for jobs, pursue educational opportunities, launch businesses, remain connected to their loved ones, and

¹ *Eight Broadband Progress Report*, Federal Communications Commission. August 24, 2012

² *Universal Service Monitoring Report*, CC Docket No. 98-202. Federal Communications Commission. 2010

³ *Universal Service Monitoring Report*, CC Docket No. 98-202. Federal Communications Commission. 2010

communicate with elected officials, amongst a wealth of other daily activities. However, rural people have historically experienced less access to communications tools, and for some, basic telephone service is the only point of connection. Currently, at 97% accessibility, basic landline telephone (copper, wireline, TDM) is the most affordable, accessible and reliable communications tool in rural communities. In contrast, fiber is not as accessible in rural areas, and wireless and IP services are underdeployed, less affordable and reliable. 14.5 million people living in rural and a third of those living in Tribal lands do not have access to fixed broadband networks. Furthermore, as a series of natural disasters including a power outage that left 2.3 million Northern Virginia residents without emergency 911 services for up to four days after a thunderstorm last summer and the more recent Hurricane Sandy in New York City demonstrated, our wireless and IP networks are currently unfit to keep people safe during a catastrophe. While RBPG encourages every effort to increase fiber, wireless, and IP communications in rural areas, these efforts should not sacrifice the most accessible, affordable, and reliable tool in America. Even in a trial, we cannot afford to replace an existent, nearly ubiquitous technology with an expensive, underdeployed, unreliable technology and risk lives and public safety. Particularly in places that already experience a lack of access to the new technologies, where the loss of wireline, copper, and TDM service could mean not reaching a doctor, family member, police officer, business partner, elected official, and emergency services. To ensure the ability to communicate and safety of all, RBPG strongly advises the Task Force to not conduct trials until reliable 100% Universal Service in fiber, wireless, and IP technology is achieved.

II. TRIALS MUST ABIDE BY THE REGULATIONS AND CONSUMER PROTECTIONS OF THE OLD TECHNOLOGY.

Our commitment to Universal Service, and the regulations and consumer protections this principle inspired, resulted in nearly ubiquitous telephone access across our country. However, the work is not done. The regulations and consumer protections established are still needed today to ensure all Tribal communities can access a landline and 10.6 million people can pay for landline services. If the Task Force decides to

proceed with technology transition trials, it will be crucial that all the regulations and consumer protections established for wireline, copper, and TDM technologies also apply to the fiber, wireless, and IP technologies.

For rural, low-income, and Native people, current consumer protections implemented on copper, wireline, and TDM technologies guarantee service, affordability, reliable and comparable service, maintenance and repair, 911 emergency services, two week power back-up, and timely resolution of complaints via the state's Public Utilities Commission. These consumer protections have been the key to ensure access to communications in rural, low-income, and remote areas. If a trial must occur, it will be key to implement these regulations and consumer protections to truly learn their impact in rural communities. RBPG believes that the success of Universal Service regulations should be the regulatory base for reliable, affordable, state of the art wireless, fiber, and IP networks. Implementing these regulations across all technologies will ensure that consumers remain protected if they choose to participate in a technology transition trial.

III. CONSUMERS MUST HAVE THE ABILITY TO WAIVE PARTICIPATION IN A TRIAL AND RETAIN THEIR CURRENT SERVICE.

Every consumer served by a provider participating in a trial must have the option to waive participation and retain their current communications service. To ensure that customers fully understand the implications of their participation or decision to not participate in a technology transition trial, the participating provider will be responsible for the following:

- 1) Ensuring no customer is automatically enrolled in the trial program. This is a decision every customer must make for him or herself by following the appropriate process established by the Provider, community groups, and Public Utilities Commission. Unless a customer explicitly indicated his or her desire to participate in the trial, that customer should not be enrolled.

2) Informing all of its customers of the opportunity to participate in a technology transition trial or to waive participation. Participating providers should be required to collaborate with local organizations, churches, community centers, and other anchor institutions in designing the parameters of the trial, informing customers of the implications of participating or not participating in the trial, and collecting data for evaluation by the Task Force. Because these groups are more knowledgeable of the community, they are uniquely positioned to ensure every customer is well informed about his or her participation or waiver to participate in the trial. Additionally, the provider should be required to advertise its trial program on Public Service Announcements aired in all local channels, television news programs, major local newspapers, local radio stations, by sending a letter to all its customers in the appropriate language, attaching an Invitation to Participate in Technology Transition Trial to the service statements sent to customers during four different billing cycles, and making phone calls informing its customers of the opportunity to participate or waive.

3) Creating an additional transparent and easily accessible process by which a customer can formally waive participation in the technology transition trial.

4) Ensure the new technology be less or equally affordable as the technology being replaced. This is particularly important for rural, remote, and low-income communities struggling economically that will not be able to partake in the trial if their communications service cost increases.

5) Cover the cost of any new equipment needed for the operation of the new technology. This would increase the ability of rural, remote, and low-income areas struggling economically to participate in the trial.

IV. CONCLUSION

The Rural Broadband Policy Group is a growing national coalition of rural broadband advocates. The RBPG has two goals: 1) to articulate broadband policies that

create opportunities for rural communities to participate fully in the nation's democracy, economy, culture, and society, and 2) to spark and kindle collaboration among rural advocates for fast, affordable, and reliable Internet.

We look forward to assisting the Technology Transitions Policy Task Force in extending access to reliable, affordable, and state of the art fiber, wireless, and IP networks in rural areas, and appreciate the opportunity to file these comments.

Respectfully submitted,

/s/ Edyael Casaperalta

Edyael Casaperalta
Programs & Research Assoc.
Center for Rural Strategies
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Whitesburg, KY
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